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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,198	09/12/2003	Michael D. Crittenden	60518-156	7202

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EXAMINER	
HALL, ARTHUR O	

ART UNIT	PAPER NUMBER
3714	

MAIL DATE	DELIVERY MODE
12/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/661,198	CRITTENDEN ET AL.	
	Examiner	Art Unit	
	Arthur O. Hall	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 October 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *39-54,108-123 and 141-148* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *39-54,108-123 and 141-148* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to Amendment

Examiner acknowledges applicants' amendment of claims 39 and 108 in the Response dated 10/19/2007 to Non-final Office Action dated 7/19/2007. Examiner further acknowledges applicants' election of Species III, which is drawn to claims 39-54 and 108-123 as described in the Non-final Office Action dated 7/19/2007. Examiner further acknowledges applicants' cancellation of claims 1-38, 55-107 and 124-140 and addition of claims 141-148 in the Preliminary Amendment filed on 6/28/2007. Moreover, Examiner acknowledges that new claims 141-148 fall within the scope of the previously mentioned claims elected as part of Species III. Therefore, claims 39-54, 108-123 and 141-148 are pending in the application and subject to examination as part of this office action.

Examiner acknowledges that applicants arguments directed to the rejection set forth under 35 U.S.C. 102(e) and 35 U.S.C. 103(a) are deemed unpersuasive, in part, in light of the evidence disclosed in the Weiss (US Patent 6,511,377) and Walker et al. (US Patent 6,503,146; hereinafter Walker) references cited in the Non-final Office Action dated 7/19/2007, in part, in view of applicants amendments and applicants arguments made in the Response dated 10/19/2007 to the Non-final Office Action dated 7/19/2007. Thus, the rejections under 35 U.S.C. 102(e) and 35 U.S.C. 103(a) are not withdrawn. Therefore, Examiner maintains the grounds of rejection under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) as set forth below.

Examiner acknowledges applicants' amendments of the drawings directed to Examiners objection of the drawings with respect to Figure 7 as set forth in the Non-final Office Action dated 7/19/2007, which obviate the objection to the drawing. Therefore, Examiner withdraws further objection to the drawing.

Examiner acknowledges that the nonstatutory grounds of the Obviousness-type Double Patenting rejection was overcome by the applicants upon amendment of claims 39 and 108 in the Response dated 10/19/2007 to Non-final Office Action dated 7/19/2007.

Claim Rejections - 35 USC § 102

Examiner maintains and incorporates herein by reference the grounds of rejection of the claims under 35 U.S.C. § 102(e) as described in the Non-final Office Action dated 7/19/2007 because the scope of the claims as amended in the Response dated 10/19/2007 is substantially the same as the scope of the claims examined in the Non-final Office Action dated 7/19/2007 and because each of the features of applicant's claimed invention as amended continues to be anticipated by and unpatentable or obvious over the prior art.

Claim Rejections - 35 USC § 103

Examiner maintains and incorporates herein by reference the grounds of rejection of the claims under 35 U.S.C. § 103(a) as described in the Non-final Office Action dated 7/19/2007 because the scope of the claims as amended in the Response dated 10/19/2007 is substantially the same as the scope of the claims examined in the

Non-final Office Action dated 7/19/2007 and because each of the features of applicant's claimed invention as amended continues to be anticipated by and unpatentable or obvious over the prior art.

Response to Arguments

Applicant's arguments filed in the Response dated 10/19/2007 with respect to Examiners' rejection under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) have been considered fully and are unpersuasive in light of the evidence substantially disclosed in the Weiss and Walker references, in view of applicants amendments, and in view of applicant's arguments thereof.

Regarding applicants' arguments and amendments concerning claims 39-54, 108-123 and 141-148 rejected as anticipated under 35 U.S.C. § 102(e) or unpatentable or obvious under 35 U.S.C. § 103(a):

Applicants argue substantially that Weiss does not teach a list of vouchers or electronic records that are separate from a players account because applicants believe that the vouchers values are only stored in a players account.

Examiner submits that Weiss actually teaches that vouchers are stored in a database separate from the account because the account having an account number and other parameters is initially maintained or accessed via a player/group screen in which the account number and parameters are stored in a database (column 8, line 43 to column 9, line 54). Examiner also submits that the vouchers are printed and

distributed to the player from promotional balances stored in the database to be later associated with the account balance (column 7, lines 47-58 and column 12, lines 18-30, Weiss). Consequently, Examiner submits that that the voucher or promotional values are associated with the account number of the players account merely upon subsequent addition of the promotional values to the players account, and thus, the account number is inherently stored in the voucher since the voucher must have the account number stored thereon in order to be printed and distributed with the account balance including the promotional balance for redemption by the player (column 7, lines 47-58, column 12, lines 16-30 and column 14, 25-65, Weiss). Hence, Examiner submits that the promotional value, which is a voucher value, is stored in the database separately from the account that includes the players account number created on the database.

Examiner even further submits that to store an account number in a voucher or an account stored on the same database is a rearrangement of parts of the same structural parts of a device since storing the account number in the account or voucher would not modify the operation of the device and would have been an obvious design choice in accordance with the court holding in *In re Japikse* and *In re Kuhle* (See *In re Japikse* (86 USPQ 70 (CCPA 1950)) and *In re Kuhle* (188 USPQ 7 (CCPA 1975)); See also MPEP 2144.04, VI. C. Rearrangement of Parts).

Consequently, applicants arguments have been deemed to be unpersuasive, in part, in light of the evidence substantially disclosed in the Weiss reference, but also with respect to the Walker reference, in part, in light of applicants amendments, and, in part,

in light of applicants arguments thereof. Hence, Examiner maintains the grounds of rejection of the claims under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) as described in the Non-final Office Action dated 7/19/2007 because each of the features of applicant's claimed invention continues to be anticipated by and unpatentable or obvious over the prior art.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A US-2002/0128059 A1, Baltz et al.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur O. Hall whose telephone number is (571) 270-1814. The examiner can normally be reached on Mon - Fri, 8:00am - 5:00 pm, Alt Fri, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AH
11/29/2007

Robert E. Pezzuto
Supervisory Patent Examiner